

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

James Clinton McCorvey, Jr.,

Petitioner,

vs.

Mary M. Mitchell, Warden,

Respondent.

) C/A No. 0:10-1585-JFA-PJG

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ORDER

This is an action seeking habeas corpus relief under 28 U.S.C. § 2241. The petitioner is a prisoner. Therefore, in the event that a limitations issue arises, the petitioner shall have the benefit of the holding in Houston v. Lack, 487 U.S. 266 (1988) (prisoner's pleading was filed at the moment of delivery to prison authorities for forwarding to District Court). Under Local Civil Rule 73.02(B)(2) DSC, pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

By order dated July 1, 2010, the petitioner was given a specific time frame in which to bring this case into proper form. The petitioner has complied with the Court's order, and this case is now in proper form. The petitioner has paid the full filing fee. (ECF No. 8.)

TO THE CLERK OF COURT:

The Clerk of Court shall not serve the § 2241 petition upon the respondent at this time because the petition is subject to dismissal.

The Office of the Clerk of Court shall not enter any change of address submitted by the petitioner which directs that mail be sent to a person other than the petitioner unless that person is an attorney admitted to practice before this Court who has entered a formal appearance.

IT IS SO ORDERED.



Paige J. Gossett

UNITED STATES MAGISTRATE JUDGE

August 16, 2010
Columbia, South Carolina